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November 13, 2020

VIA ECF

Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: New York City Transit Authority v. Express Scripts, Inc., No. 1:19-cv-05196-JMF
(S.D.N.Y.)

Dear Judge Furman:

We represent the plaintiff New York City Transit Authority and write with the consent of counsel for defendant Express Scripts to request rescheduling of the pre-trial conference currently scheduled for November 18, 2020 at 3:00 p.m. In the parties' November 12, 2020 joint letter (ECF No. 85), the parties provided the following dates and times that all counsel would be available for a telephonic pre-trial conference in accordance with the Court's November 9, 2020 order (ECF No. 83):

- Thursday, November 19: 9:00-11:00 ET and 2:00-5:00 ET
- Friday, November 20: All day

The joint letter excluded November 18, 2020 as a date because plaintiff's counsel will be engaged that afternoon in oral argument in the Appellate Division, First Department on Express Scripts' appeal from dismissal of the state court action between these parties. Apparently, the joint letter was unclear that counsel were seeking a brief adjournment of the pretrial conference to avoid this scheduling conflict, and we apologize for the confusion. If the above dates and times do not work for the Court, the parties will confer and provide alternative dates for the Court's convenience.

Respectfully submitted,

/s/ John Siegal

John Siegal
Partner

The pretrial conference originally scheduled for November 18, 2020, is rescheduled to November 19, 2020 at 4:00 p.m. The parties (and members of the public who wish to join) should use the same call-in information found in the Court's previous Order, ECF No. 86. The parties are reminded to email the Court no later than 24 hours before the conference a list of names and telephone numbers for counsel who may speak during the conference. The Clerk of Court is directed to terminate ECF No. 87. SO ORDERED.

A handwritten signature in black ink, appearing to read 'John Siegal', with a stylized flourish at the end.

November 16, 2020